

1 DELEGATE KEY: Delegate Bamberger, not having
2 the advantage of being a lawyer, I don't have such intimate
3 knowledge of the courts, and I just wonder if perhaps the
4 words, "as prescribed by law" in 5.06 do not really give
5 the legislature the upper hand, because they are the ones
6 who have to delegate the judges that are requested by the
7 court, and therefore would examine the use of the judges
8 and could say if they are being adequately used.

9 THE CHAIRMAN: Delegate Bamberger.

10 DELEGATE BAMBERGER: As I understand section
11 5.06, and if I misstate I hope Chairman Mudd will respond,
12 the words "as prescribed by law" in sections 37 and 38
13 relate only to the number of the judges who are members
14 of that court, but not to the numbers of judges who would
15 sit at any one time in a panel to hear an individual case.

16 THE CHAIRMAN: Delegate Bamberger, I am not sure
17 that you understood Delegate Key's question, or at least
18 the Chair understood it. If I could state it, I think she
19 was agreeing with your interpretation of the first
20 sentence by saying that inasmuch as the legislature can
21 control the number of judges and decide whether to allow